

U.S. Department of Justice

Washington, DC 20530

**Amendment to Registration Statement  
Pursuant to the Foreign Agents Registration Act of  
1938, as amended**

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INSTRUCTIONS. File this amendment form for any changes to a registration. Compliance is accomplished by filing an electronic amendment to registration statement and uploading any supporting documents at <http://www.fara.gov>.

**Privacy Act Statement.** The filing of this document is required for the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. § 611 *et seq.*, for the purposes of registration under the Act and public disclosure. Provision of the information requested is mandatory, and failure to provide the information is subject to the penalty and enforcement provisions established in Section 8 of the Act. Every registration statement, short form registration statement, supplemental statement, exhibit, amendment, copy of informational materials or other document or information filed with the Attorney General under this Act is a public record open to public examination, inspection and copying during the posted business hours of the Registration Unit in Washington, DC. Statements are also available online at the Registration Unit's webpage: <http://www.fara.gov>. One copy of every such document, other than informational materials, is automatically provided to the Secretary of State pursuant to Section 6(b) of the Act, and copies of any and all documents are routinely made available to other agencies, departments and Congress pursuant to Section 6(c) of the Act. The Attorney General also transmits a semi-annual report to Congress on the administration of the Act which lists the names of all agents registered under the Act and the foreign principals they represent. This report is available to the public in print and online at: <http://www.fara.gov>.

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1. Name of Registrant	2. Registration No.
Steptoe & Johnson LLP	6203

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3. This amendment is filed to accomplish the following indicated purpose or purposes:

To give a 10-day notice of change in information as required by Section 2(b) of the Act.

To correct a deficiency in

Initial Statement

Supplemental Statement for the period ending \_\_\_\_\_

Other purpose (specify) \_\_\_\_\_ File additional informational documents to be distributed.

To give notice of change in an exhibit previously filed.

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4. If this amendment requires the filing of a document or documents, please list:

1. (ENGLISH TRANSLATION) Exposición de Motivos;

2. (ENGLISH TRANSLATION) Naturalization Law;

3. DR Briefing Doc 5 22 14

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5. Each item checked above must be explained below in full detail together with, where appropriate, specific reference to and identity of the item in the registration statement to which it pertains. (If space is insufficient, a full insert page must be used.)

1. The first item is an English translation of the cover letter that the President of the Dominican Republic sent to the President of the Dominican Chamber of Deputies, when submitting the new Naturalization Law;

2. The second item is an English translation of the new Naturalization Law being implemented in the Dominican Republic;

3. The third item is a briefing document about the current immigration/nationality situation regarding foreigners in the Dominican Republic.

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## EXECUTION

In accordance with 28 U.S.C. § 1746, the undersigned swear(s) or affirm(s) under penalty of perjury that he/she has (they have) read the information set forth in this registration statement and the attached exhibits and that he/she is (they are) familiar with the contents thereof and that such contents are in their entirety true and accurate to the best of his/her (their) knowledge and belief, except that the undersigned make(s) no representation as to the truth or accuracy of the information contained in the attached Short Form Registration Statement(s), if any, insofar as such information is not within his/her (their) personal knowledge.

(Date of signature)

(Print or type name under each signature or provide electronic signature<sup>1</sup>)

May 22, 2014

/s/ Luis G. Fortuño

eSigned

May 22, 2014

/s/ Ricardo A. Pellerano

eSigned

May 22, 2014

/s/ Filiberto Agusti

eSigned

May 22, 2014

/s/ Jose Gonzalez-Magaz

eSigned

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<sup>1</sup> This statement shall be signed by the individual agent, if the registrant is an individual, or by a majority of those partners, officers, directors or persons performing similar functions, if the registrant is an organization, except that the organization can, by power of attorney, authorize one or more individuals to execute this statement on its behalf.

[ENGLISH TRANSLATION]

**Danilo Medina**  
**President of the Dominican Republic**

No.: 012313

Mr.

**Abel Martinez Duran**  
President of the Chamber of Deputies  
National Congress Palace  
Your Office.

Honorable Mr. President,

Pursuing to the attributions of legislative initiative conferred to me under Article 96 of the Dominican Constitution, I hereby submit, for the consideration of the National Congress, through your dignified mediation, the draft "**Law that Establishes a Special Regime for People Born in the Country who were Irregularly Registered in the Dominican Civil Registry and on Naturalization**".

The proposed draft of law is the result of an extensive consultation process and search for consensus with the various sectors of Dominican society, and is inspired by the fundamental principles on which our state stands, such as: human dignity, freedom, equality, rule of law, justice, solidarity, and fraternal coexistence.

It is, likewise, an initiative that is sustained in the sovereign exercise of the democratic bodies of our State, of national interest and in full compliance with the decisions of our Constitutional Court and the Dominican legal system.

After having consulted with different political, business and religious leaders of the Dominican society, we are convinced that the final draft achieved offers a balanced and responsible response to two fundamental necessities: on the one hand, to protect the national interests and the strictest compliance with the laws of the country. And, on the other hand, to guarantee the fundamental rights of all individuals that reside on Dominican soil, especially those who have been born and raised in the country.

The reality that we face is that the Dominican Republic, for decades, has carried deficiencies in matters of registration, documentation and identification of nationals, as well as of foreigners.

The fact that in the country there is a large number of individuals born and not duly registered and that, consequently, lack legal identification, reflects an unacceptable institutional weakness. Our government is committed in reversing this state of affairs, through concrete actions, amongst which we can mention the recent agreement -Investment Project in Social Protection- signed between the Ministry of Education and the Central Electoral Board, which the social cabinet of

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[ENGLISH TRANSLATION]

the government develops in collaboration with the Central Electoral Board and with the support of the World Bank, as well as other initiatives for the due registration of our population, that are already underway.

The present legislative initiative aims to complete those efforts, responding to a very specific population group: the one conformed by those individuals that have been born in the Dominican Republic to foreign parents, who were both in irregular immigration status.

It is important to take into account that the parents of these individuals, who in their majority are young children, come from more than a hundred different nationalities, including Americans, Spanish, British, Japanese and Haitians.

We are convinced that the implementation of the mechanisms that will be established as a result of this law will let us achieve important milestones in the goal of providing all individuals that live in our country with the corresponding documentation, and in that way, guarantee the full development of their lives.

Although all individuals that are subject to this law share two characteristics –having been born in the Dominican Republic and being the offspring of foreign parents– they shall be divided into two different groups, according to the current status of their documents and, in consequence, establish different solutions to the issues each of them face.

First, there are those individuals born in the Dominican Republic whose birth certificates were prepared irregularly by public officials, despite the declarants not complying with the requirement of presenting a valid ID at the moment of registration. However, based on that documentation, those individuals have acted under the presumption that they have Dominican nationality.

We refer, in this case, to individuals born in the Dominican Republic, that have always lived in our country, that feel Dominican and that in all cases have, additionally, an official document issued by the Dominican State, which permitted them to develop their civilian life with certainties and concrete expectations based on such documentation.

To regularize these documents is the most fair, prompt and definitive form to finalize the uncertainty of these individuals and their descendants, and banish forever the possibility that their rights be restricted because of administrative deficiencies in which they did not have any responsibility or participation.

It is important to point out that the only beneficiaries of this legislative initiative will be the individuals who were registered in the Dominican Civilian Registry between 1929 and 2007, whereby the population that will benefit from this measure has a limited number and cannot increase in the future.

Likewise, we propose that all the public documents of civilian life of the individuals who fall under this category be recognized, retroactively to the date of birth, and that they benefit from this law.

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[ENGLISH TRANSLATION]

Ultimately, this is about permitting these men and women who lived all of their lives with Dominican legal identities, and who in many cases obtained their IDs, their certificates of completion of their elementary and secondary studies, and also many of them voted or got married with such documentation, that they be definitely recognized as valid, and that way, be able to continue their life normally.

A second group, with different characteristics, is composed by the offspring of foreigners that can demonstrate that they were born in the Dominican Republic, but that were not registered in any public registry. This population shall benefit from the Regularization Plan of Foreigners in irregular status currently in process and, subsequently, could have access, if they so decide, to the naturalization process established in the law that rules this matter.

According to what is established in the current Immigration Law, those individuals shall be able to register, first, in the Registry of Foreigners, provided that they are able to prove that they were born in the country, through the means established in the regulations issued under this law. The population that can prove that they were born in the country, and are not registered yet on such Registry, shall have a period of 90 days to file a request at the Ministry of Interior and Police.

After the registration in the Record of Foreigners, the individual shall have a period of sixty (60) days to comply with what is established in Decree 327-13, which creates that National Plan of Regularization of Foreigners in irregular immigration status.

After completing the due process of regularization and obtaining the corresponding immigration status, in accordance with the existing categories in the current Immigration Law, the offspring born in the Dominican Republic to foreign parents will only be able to opt for the naturalization process already stipulated in the law that rules this matter, two years after obtaining their regular status.

On the other hand, we understand it necessary to establish rigorous mechanisms to protect the integrity of the Civilian Registry, in the sense that no benefit will be provided to individuals who have had direct or indirect participation in any fraud or serious irregularity regarding the foregoing. Likewise, this draft law contemplates criminal sanctions for the beneficiaries and/or public officials that incur in forgeries or other illicit actions.

Finally, we are convinced that the approval of this draft law is a historic event that will embark us in the construction of a country with real equality and social justice, which guarantees the right of every individual to obtain an identity. A country that does not exclude anyone and without discrimination, in which the fundamental rights of individuals and the respect for sovereignty and the laws of the country walk hand in hand with the same goal: to promote the happiness of all individuals.

We have no doubts that this legislative initiative that we introduce will strengthen our institutions, will unite us as a country and will invigorate us as a nation. But additionally, it will show the world the greatness of the Dominican people and our capacity to find solutions, based on dialogue and consensus, to always put first the wellness of human beings, especially of the most vulnerable ones.

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[ENGLISH TRANSLATION]

**GOD, COUNTRY AND FREEDOM**

[Signature]

**Danilo Medina**

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*Danilo Medina*  
Presidente de la República Dominicana

Núm.: 012313

Señor  
**Abel Martínez Duran**  
Presidente de la Cámara de Diputados  
Palacio del Congreso Nacional  
Su Despacho.

Honorable Señor Presidente:

En atención a las atribuciones de iniciativa legislativa que nos confiere el artículo 96 de la Constitución de la República, me permito someter a la consideración del Congreso Nacional, a través de su digna mediación, el proyecto de “**Ley que establece un régimen especial para personas nacidas en el territorio nacional inscritas irregularmente en el Registro Civil dominicano y sobre naturalización**”

El proyecto de ley que proponemos es el fruto de un amplio proceso de consultas y de búsqueda de consensos con los diversos sectores de la sociedad dominicana y el mismo está inspirado en principios fundamentales sobre los que se erige nuestro Estado, tales como: la dignidad humana, la libertad, la igualdad, el imperio de la ley, la justicia, la solidaridad y la convivencia fraterna.

Es, asimismo, una iniciativa que se sustenta en el ejercicio soberano de los órganos democráticos de nuestro Estado, en el interés nacional y en completa observancia de las sentencias de nuestro Tribunal Constitucional y del ordenamiento jurídico dominicano.

Luego de realizar las consultas a diferentes líderes políticos, empresariales y religiosos de la sociedad dominicana, estamos convencidos de que el texto final que se ha logrado ofrece una respuesta equilibrada y responsable a dos necesidades fundamentales: por un lado, salvaguardar los intereses nacionales y el más estricto cumplimiento de la legalidad de la República. Y, por otro, garantizar los derechos fundamentales de todas aquellas personas que residen en territorio dominicano, especialmente los de aquellos que han nacido y se han criado en el país.

La realidad que enfrentamos es que la República Dominicana, desde hace décadas, arrastra carencias en materia de registro, documentación e identificación, tanto de nacionales como de extranjeros.



*Danilo Medina*  
Presidente de la República Dominicana

6 MAY 2014

El hecho de que en el territorio nacional nazcan una gran cantidad de personas a los que no se registra debidamente y que, por tanto, carecen de identidad jurídica, refleja una debilidad institucional inaceptable. Nuestro gobierno está empeñado en revertir ese estado de cosas, mediante acciones concretas, entre las que podemos citar el reciente acuerdo firmado entre el Ministerio de Educación y la Junta Central Electoral, el Proyecto Inversión en la Protección Social, que desarrolla el gabinete social del gobierno en colaboración con la JCE y con el apoyo del Banco Mundial, y otras iniciativas para el debido registro de nuestra población, que ya están en marcha.

La presente iniciativa legislativa busca complementar esos esfuerzos, dando respuesta a una población muy concreta: la conformada por aquellas personas que han nacido en la República Dominicana hijos de padres extranjeros, ambos en condición irregular.

Es importante tener en cuenta que el origen de los padres de estas personas, que en su mayoría son niños y niñas, se encuentra en más de cien nacionalidades distintas, incluyendo estadounidenses, españoles, británicos, japoneses y haitianos.

Estamos convencidos de que la implementación de los mecanismos que se establecerán como resultado de esta ley nos permitirá lograr importantes avances el objetivo de dotar a todas las personas que habitan en nuestro territorio con la documentación que les corresponda y garantizar, así, el desarrollo de sus vidas.

Aunque todas las personas que son objeto de esta ley comparten dos características-haber nacido en la República Dominicana y ser hijos de padres extranjeros-cabe dividirlos en dos grupos distintos, de acuerdo a su estatus documental actual y, en consecuencia, establecer soluciones diferentes para la problemática de cada uno.

En primer lugar, están aquellas personas nacidas en la República Dominicana cuyas actas de nacimiento fueron instrumentadas irregularmente por funcionarios públicos, a pesar de no haber cumplido los declarantes con el requisito de presentar una cédula de identidad válida al momento del registro. Sin embargo, en base a esa documentación, esas personas han actuado bajo la presunción de que gozan de la nacionalidad dominicana.



*Danilo Medina*  
Presidente de la República Dominicana

Hablamos, en este caso, de personas nacidas en la República Dominicana, que siempre han vivido en nuestro país, que se sienten dominicanos y que en todos los casos cuentan, además, con un documento oficial emitido por el Estado Dominicano que les permitió desarrollar su vida civil con certezas y expectativas concretas basadas en dicha documentación.

Regularizar estos documentos es la forma más justa, rápida y definitiva de terminar con la incertidumbre de estas personas y sus descendientes, y desterrar para siempre la posibilidad de que sus derechos sean restringidos por carencias administrativas en las que ellos no tuvieron ninguna responsabilidad ni participación.

Es importante destacar que solo se podrán acoger a los beneficios de esta iniciativa legislativa las personas inscritas en el registro civil dominicano entre 1929 y 2007, por lo que la población definida tiene un número limitado y no podrá aumentar en el futuro.

Asimismo, proponemos que se reconozcan, con eficacia retroactiva a la fecha del nacimiento, todos los actos de la vida civil de las personas que se encuentren en esta condición y se beneficien de esta ley.

En definitiva, se trata de permitir a estos hombres y mujeres, que vivieron toda su vida con una identidad jurídica dominicana, que en muchos casos obtuvieron su cédula, su certificado de estudios primarios y secundarios, e incluso algunos votaron o contrajeron matrimonio con esa documentación, que les sea reconocida definitivamente como válida y puedan, así, continuar su vida normalmente.

Un segundo grupo, de características distintas, está compuesto por los hijos de extranjeros, que estén en capacidad de demostrar que nacieron en República Dominicana, pero que no fueron inscritos en ningún registro público. Esta población deberá acogerse al Plan de Regularización de Extranjeros en condición irregular, actualmente en proceso y, posteriormente, podrían acceder, si así lo deciden, al procedimiento de naturalización establecido por la ley que rige la materia.

De acuerdo a lo establecido en la actual ley de migración, esas personas podrán registrarse, primero, en el libro para extranjeros, siempre que acrediten fehacientemente el hecho del nacimiento por los medios establecidos en el reglamento de esta ley. La población que, pudiendo acreditar su nacimiento, no se encuentre registrada aún en dicho libro, tendrá un plazo de 90 días para realizar la solicitud al Ministerio de Interior y Policía.

A partir de la inscripción en el libro de extranjería, la persona tendrá un plazo de sesenta (60) días para acogerse a lo establecido en el Decreto 327-13, que instituye el Plan Nacional de Regularización de Extranjeros en situación migratoria irregular.



*Danilo Medina*  
Presidente de la República Dominicana

Tras completar el debido proceso de regularización y obtener el estatus migratorio correspondiente, de acuerdo a las categorías existentes en la actual Ley de Migración, los hijos de extranjeros nacidos en la República Dominicana solo podrán optar por el proceso de naturalización, tal y como está ya estipulado en la ley que rige la materia, pasados dos años desde la obtención de su estatus regular.

Por otra parte, entendemos que es necesario establecer mecanismos rigurosos que permitan proteger la integridad del Registro Civil, por lo que ningún beneficio se otorgará a personas que hayan tenido participación directa o indirectamente en algún fraude o irregularidad grave. Así mismo, el proyecto contempla sanciones penales para los interesados y los funcionarios que incurran en falsificaciones u otras prácticas ilícitas.

Finalmente, estamos convencidos de que la aprobación de este proyecto es una ocasión histórica para avanzar en la construcción de un país con verdadera igualdad y justicia social, que garantice el derecho de toda persona a contar con una identidad. Un país sin exclusión y sin discriminación, en el que los derechos fundamentales de las personas y el respeto a la soberanía y las leyes de la República caminan de la mano con un mismo fin: propiciar la felicidad de las personas.

No albergamos duda de que la iniciativa legal que presentamos fortalecerá nuestras instituciones, nos cohesionará como pueblo y nos vigorizará más como nación. Pero además, mostrará al mundo la grandeza del pueblo dominicano y nuestra capacidad de encontrar soluciones basadas en el diálogo y el consenso para poner siempre el bienestar de los seres humanos, especialmente de los más vulnerables, en primer lugar.

**DIOS, PATRIA Y LIBERTAD**

*Danilo Medina*

**THE NATIONAL CONGRESS  
ON BEHALF OF THE REPUBLIC**

**WHEREAS FIRST:** That Article 184 of the Constitution of the Dominican Republic, proclaimed on January 26, 2010, created a Constitutional Court to ensure the supremacy of the Constitution, the defense of the constitutional order and the protection of fundamental rights. Its decisions are definitive and irrevocable, and constitute binding precedent for all public authorities and bodies of the State;

**WHEREAS SECOND:** That in exercise of the powers assigned by the Constitution, the Constitutional Court issued Judgment TC/0168/13 on September 23, 2013, by which the court interpreted the regulations in force, throughout the different constitutions, since June 29, 1929, until the constitutional reform of January 26, 2010;

**WHEREAS THIRD:** That the Constitutional Court refers, in one part of the referred judgment, to what it qualifies as "the legal improvidences of the Dominican immigration policy, and the institutional and bureaucratic deficiencies of the Civil Registry", stating that such improvidences "date back to the era immediately after the proclamation of the Constitution of June 20, 1929", whereby the Constitutional Court revealed a deficiency of the Dominican State that lasted over time and spread throughout the country, causing that a determined number of people born in Dominican territory received, from the Dominican State itself, the documentation that led to the presumption that they were Dominican nationals, and by which they developed their civil life with certainty and specific expectations in terms of this condition;

**WHEREAS FOURTH:** That as was stated in the first WHEREAS, the decisions of the Constitutional Court, in its capacity as ultimate interpreter of the Constitution, constitute binding precedent for all public authorities and bodies of the State, but such constitutional mandate does not exclude that the political bodies, created as expression of the democratic principle and the popular will, give their solutions to new situations created from decisions dictated by the Constitutional Court;

**WHEREAS FIFTH:** That by stating and criticizing, in the referred judgment, the legal improvidences of the Dominican immigration policy, and the institutional and bureaucratic deficiencies of the Civil Registry, the Constitutional Court has determined that the Dominican State itself has been responsible for the irregularities and deficiencies on this matter, which has been an major cause of the situation faced by the people who received the referred documentation from the Dominican State;

**WHEREAS SIXTH:** That, among other measures, the Constitutional Court ordered through such judgment that the Central Electoral Board (*Junta Central Electoral*) must audit the Civil Registry records, covering the period specified above, to determine which individuals were irregularly registered in these books; such audit is being conducted by such institution;

**WHEREAS SEVENTH:** That the bodies of democratic political representation have the obligation of searching for solutions to the problems of society, in regards to the national interest, and guided by the values that we have cherished since the nation's foundation and that

are embodied in the Preamble of the Constitution, such as human dignity, freedom, equality, the rule of law, justice, solidarity and fraternal coexistence;

**WHEREAS EIGHTH:** That guided by these principles, the Dominican State, through its representative bodies, is destined to find a solution to the problem faced by people who, although irregularly registered in the Civil Registry by the State itself, have acted throughout their lives under the premise that they benefit from the Dominican nationality and have had an undeniable attachment to our society;

**WHEREAS NINTH:** That the solution embodied in the provisions of this law, regarding the regularization of civil status records, does not imply a denial or a challenge to the interpretation given by the Constitutional Court to a portion of the regulations related to nationality, but is rather a response to a problem generated by it and that is of national interest to resolve;

**WHEREAS TENTH:** That it is of high interest and priority for the Dominican State, the urgent implementation of measures that enable the right to equality, development of personality, nationality, health, family, free transit, work and education, among others, of a population in the Dominican Republic comprising: a) the descendants, of foreign parents in irregular immigration status, whose birth records were registered by the State itself by the Officials of Civil Status, and b) foreigners born in national territory and that were not registered in the Civil Registry;

**SEEN:** The Constitution of the Dominican Republic, proclaimed on January 26, 2010, published in Official Gazette No. 10561;

**SEEN:** Law No. 1227, dated December 4, 1929, published in Official Gazette No. 4160;

**SEEN:** Law 165, dated August 4, 1931, which validated all records irregularly instrumented by former Official of Civil Status of the common of Santiago, Mr. Adriano Bordas, in the Birth Registry records, and that range from March 27 to December 5, 1927;

**SEEN:** Law on Civil Status Records No. 659, dated July 17, 1944, published in Official Gazette No. 6114 and its amendments;

**SEEN:** Law on Naturalization No. 1683, dated April 21, 1948, published in Official Gazette No. 6782;

**SEEN:** Law on the Rights of People in their Relations with the Administration and Administrative Procedures No. 107-13, published in Official Gazette No. 10722, dated August 8, 2013;

**SEEN:** Decree 327-13, dated November 29, 2013, which establishes the National Plan of Regularization of Foreigners in irregular immigration status in the Dominican Republic;

**SEEN:** The report from the Central Electoral Board on the auditing of Dominican Civil Registry, dated November 7, 2013.

**HAS ENACTED THE FOLLOWING LAW  
WHICH ESTABLISHES A SPECIAL REGIME FOR PEOPLE BORN ON  
NATIONAL TERRITORY REGISTERED IRREGULARLY IN THE  
DOMINICAN CIVIL REGISTRY AND ON NATURALIZATION**

**CHAPTER I.- SPECIAL REGIME**

**Article 1. Scope.**- This law has the exclusive purpose of establishing: a) a special regime for the benefit of children, of foreign non-resident fathers and mothers, that were born in the country between the period of June 16, 1929 to April 18, 2007, and registered in the Dominican Civil Registry records based on documents not recognized by the regulations in force for such purposes at the time of registration; and b) the registration of children, of foreign parents, that were born in the Dominican Republic and are not registered in the Civil Registry.

**Article 2. Regularization.**- The Central Electoral Board will proceed with the regularization and/or transcription in the Civil Registry records, free of any administrative process by the beneficiaries, of people who are in the situation set out in subsection a) above. Once the referred irregularity is cured under this Law, the Central Electoral Board will accredit them as Dominican nationals.

**Article 3. Exception.**- The records instrumented with falsification of data, phishing, or any other event that constitutes the offense of forgery of a public document, shall be excluded from the provisions of the preceding articles, provided that the offense is attributable directly to the beneficiary.

**Article 4. Identity Card (*Cédula de Identidad*).**- The Central Electoral Board shall provide that the beneficiaries of this regime, which in the past have been issued identity and electoral cards, be endowed with the same document and previous number they have had, and those who have not had this document, to be awarded with it.

**Article 5. Homologation.**- The Dominican State recognizes, with effective retroactivity to the date of birth, all records of civil life of its beneficiary, while recognizing and providing that all records obtained by the beneficiaries of this Law by using the documents they used under the presumption of legality, are effective against third parties.

**CHAPTER II.- REGISTRATION OF CHILDREN OF FOREIGN PARENTS THAT  
WERE BORN IN THE DOMINICAN REPUBLIC**

**Article 6. Registration.**- Every person who is the child of foreign parents in irregular immigration status, that having been born in the country is not registered in the Dominican Civil Registry, will be able to register in the registry for foreigners contemplated in the General Immigration Law No. 285-04, provided that they convincingly prove the birth through the means established in the regulations for this Law.

**Paragraph I.-** To benefit from the registry of foreigners contemplated in this article, an application for registration should be made to the Ministry of Interior and Police, no later than ninety (90) days from the effective date of the enactment of the regulations of this Law.

**Paragraph II.-** In formulating the application for registration, the Ministry of Interior and Police has a period of thirty (30) days to process it with no objection before the Central Electoral Board.

**Article 7. Regularization.-** After the registration in the registry of foreigners, the person shall have sixty (60) days to comply with the provisions of Decree 327-13, which establishes the National Plan of Regularization of Foreigners in irregular immigration status.

### **CHAPTER III.- NATURALIZATION**

**Article 8. Naturalization.-** The children, of foreigners, that were born in the Dominican Republic, regularized accordingly to what is provided in the National Plan of Regularization of Foreigners in irregular immigration status, may opt for the ordinary naturalization established in the law governing the matter, after two (2) years have passed since obtaining one of the immigration categories established in the General Immigration Law No. 285-04, provided that the inexistence of a criminal background is verified by a certification.,

### **CHAPTER IV.- SANCTIONS**

**Article 9. Falsehoods.-** A falsehood incurred by a person when filing an application for foreigner registration, in his or her own name or as a parent, ascendant, privileged collateral or guardian, or in the process of special naturalization, shall be punished with imprisonment of two (2) to five (5) years and fines of ten (10) to twenty (20) minimum wages.

**Article 10. Criminal Prosecution of the Officials of Civil Status.-** The Central Electoral Board shall submit to the Public Ministry, within a period not exceeding three (3) months, the certified copies of the documents raised in connection with the inspection of the civil registry, where falsehoods exist in public documents or any other criminal offense incurred by Officials of Civil Status, in connection with the instrumentation of the records, for the purpose of being subject to the criminal courts of the Republic.

### **CHAPTER V.- FINAL PROVISIONS**

**Article 11. Enforcement.-** The provisions established in Chapters II and III of this Law shall be effective for the duration of the implementation of the National Plan of Regularization of Foreigners in irregular immigration status.

**Article 12. Regulations.-** The Executive Power shall dictate the regulations for the provisions of Chapters II and III of this Law, no later than sixty (60) days after the effective date of its enactment; regulations which, among other provisions, shall contain the means by which the act of birth will be accredited, as well as the pertinent adjustments to the National Plan of Regularization of Foreigners in irregular immigration status for these people.

**Article 13. Free of Charge.-** The provisions of this Law shall not generate any fee or charge to the beneficiaries.

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**EL CONGRESO NACIONAL  
EN NOMBRE DE LA REPÚBLICA**

**CONSIDERANDO PRIMERO:** Que el artículo 184 de la Constitución de la República Dominicana proclamada el 26 de enero de 2010 creó un Tribunal Constitucional para garantizar la supremacía de la Constitución, la defensa del orden constitucional y la protección de los derechos fundamentales. Sus decisiones son definitivas e irrevocables y constituyen precedentes vinculantes para los poderes públicos y todos los órganos del Estado.

**CONSIDERANDO SEGUNDO:** Que en ejercicio de las atribuciones que le asigna la Constitución, el Tribunal Constitucional dictó la Sentencia TC/0168/13 de fecha 23 de septiembre de 2013, mediante la cual este tribunal interpretó la normativa vigente en los diferentes textos constitucionales desde el 29 de junio de 1929 hasta la reforma constitucional del 26 de enero de 2010;

**CONSIDERANDO TERCERO:** Que el Tribunal Constitucional se refirió en una parte de la referida sentencia a lo que calificó como "*las imprevisiones legales de la política migratoria dominicana y las deficiencias institucionales y burocráticas del Registro Civil*", señalando que dichas imprevisiones "*se remontan a la época inmediatamente posterior a la proclamación de la Constitución del veinte (20) de junio de mil novecientos veintinueve (1929)*", con lo que el Tribunal Constitucional puso de manifiesto una deficiencia del Estado dominicano que perduró en el tiempo y se extendió en todo el territorio nacional, lo que causó que un determinado número de personas nacidas en territorio dominicano recibiera del propio Estado dominicano la documentación que hizo presumir que se trataba de nacionales dominicanos, en base a lo cual desarrollaron su vida civil con certezas y expectativas concretas en función de esa condición;

**CONSIDERANDO CUARTO:** Que tal como se señaló en el Considerando primero, las decisiones del Tribunal Constitucional, en su condición de intérprete último de la Constitución, constituyen precedentes vinculantes para todos los poderes públicos y órganos del Estado, pero dicho mandato constitucional no excluye que los órganos políticos constituidos como expresión del principio democrático y de la voluntad popular den respuestas a situaciones nuevas que se crean a partir de decisiones que dicta el Tribunal Constitucional;

**CONSIDERANDO QUINTO:** Que al señalar y criticar en la referida sentencia las imprevisiones legales de la política migratoria dominicana y las deficiencias institucionales y burocráticas del Registro Civil, el Tribunal Constitucional ha determinado que el propio Estado dominicano ha sido responsable de irregularidades y deficiencias en esta materia, lo que ha sido una causa importante de la situación que enfrentan las personas que recibieron del Estado dominicano la referida documentación;

**CONSIDERANDO SEXTO:** Que, entre otras medidas, el Tribunal Constitucional dispuso mediante dicha sentencia que la Junta Central Electoral realizará una auditoría en los libros de Registro Civil que abarque el período antes indicado a fin de determinar cuáles personas fueron irregularmente inscritas en dichos libros, auditoría que está siendo realizada por dicho órgano estatal, por lo que se trata de personas que resultaran debidamente identificadas por dicha auditoría;

**CONSIDERANDO SÉPTIMO:** Que los órganos de representación política democrática tienen la obligación de buscar soluciones a los problemas de la sociedad en base al interés nacional y guiados por los valores que hemos enarbolado desde la fundación misma de la nación y que están plasmados en el Preámbulo de la Constitución, como son la dignidad humana, la libertad, la igualdad, el imperio de la ley, la justicia, la solidaridad y la convivencia fraterna;

**CONSIDERANDO OCTAVO:** Que guiado por estos principios, el Estado dominicano, a través de sus órganos representativos, está llamado a buscar una solución al problema que enfrentan las personas que, si bien irregularmente inscritas en el Registro Civil por el propio Estado, han actuado a través de sus vidas bajo la premisa de que gozan de la nacionalidad dominicana y en función de la misma han tenido un arraigo indiscutible en nuestra sociedad;

**CONSIDERANDO NOVENO:** Que la solución plasmada en la parte dispositiva de esta ley, en cuanto a regularizar actas del estado civil, no implica una negación ni un cuestionamiento a la interpretación dada por el Tribunal Constitucional a una parte de las normas relativas a la nacionalidad, sino más bien una respuesta a una problemática que se genera a partir de la misma y que resulta de interés nacional resolver;

**CONSIDERANDO DÉCIMO:** Que es de alto interés y prioridad para el Estado dominicano la adopción urgente de medidas que posibiliten el derecho a la igualdad, al desarrollo de la personalidad, a la nacionalidad, a la salud, a la familia, al libre tránsito, al trabajo y a la educación, entre otros, de una población de la República Dominicana integrada por: a) los descendientes de padres extranjeros en condición migratoria irregular cuyos registros de nacimiento fueron asentados por el propio Estado a través de los Oficiales del Estado Civil, y b) extranjeros nacidos en el territorio nacional y que no figuran inscritos en el Registro Civil;

**VISTA:** La Constitución de la República Dominicana proclamada el 26 de enero del año 2010, publicada en la Gaceta Oficial No. 10561;

**VISTA:** La Ley Número 1227 del 4 de diciembre de 1929, publicada en la Gaceta Oficial No. 4160;

**VISTA:** La Ley 165 del 4 de agosto de 1931 que validó todos los actos instrumentados irregularmente por el ex-oficial del Estado Civil de la común de

Santiago Señor Adriano Bordas, en el libro Registro de Nacimientos y comprendidos entre los días 27 de marzo y 5 de diciembre de 1927;

**VISTA:** La Ley Sobre Actos del Estado Civil No. 659 del 17 de julio de 1944, publicada en la Gaceta Oficial No. 6114 y sus modificaciones;

**VISTA:** La Ley sobre naturalización No. 1683 del 21 de abril de 1948, publicada en la Gaceta Oficial No. 6782;

**VISTA:** La Ley sobre los Derechos de las Personas en sus Relaciones con la Administración y de Procedimiento Administrativo No. 107-13, publicada en la Gaceta Oficial No. 10722, del 8 de agosto de 2013;

**VISTO:** El Decreto 327-13, de fecha 29 de noviembre del 2013, mediante el cual se establece el Plan Nacional de Regularización de Extranjeros en situación migratoria irregular en la República Dominicana;

**VISTO:** El informe de la Junta Central Electoral sobre el levantamiento del Registro Civil Dominicano de fecha 7 de noviembre del año 2013.

**HA DADO LA SIGUIENTE LEY  
QUE ESTABLECE UN REGIMEN ESPECIAL PARA PERSONAS NACIDAS EN EL  
TERRITORIO NACIONAL INSCRITAS IRREGULARMENTE EN EL REGISTRO CIVIL  
DOMINICANO Y SOBRE NATURALIZACIÓN**

**CAPÍTULO I.- DEL REGIMEN ESPECIAL**

**Articulo 1.Objeto.**- Esta ley tiene por objeto exclusivo establecer:a) un régimen especial en beneficio de hijos de padres y madres extranjeros no residentes nacidos en el territorio nacional durante el periodo comprendido entre el 16 de junio de 1929 al 18 de abril de 2007 inscritos en los libros del Registro Civil dominicano en base a documentos no reconocidos por las normas vigentes para esos fines al momento de la inscripción; y b) el registro de hijos de padres extranjeros en situación irregular nacidos en la Republica Dominicana y que no figuran inscritos en el Registro Civil.

**Articulo 2.Regularización.**- La Junta Central Electoral procederá a regularizar y/o transcribir en los Libros del Registro Civil, libre de todo trámite administrativo a cargo de los beneficiarios, las actas de las personas que se encuentren en la situación establecida en el literal a) del articulo anterior.Subsanada la referida irregularidad en virtud de esta Ley, la Junta Central Electoral los acreditará como nacionales dominicanos.

**Articulo 3. Excepción.**- Quedan excluidos del beneficio de lo dispuesto en los artículos anteriores los registros instrumentados con falsedad de datos, suplantación de identidad, o cualquier otro hecho que configure el delito de falsedad

en escritura pública, siempre y cuando el hecho le sea imputable directamente al beneficiario.

**Articulo 4. Cédula de Identidad.-** La Junta Central Electoral dispondrá que las personas beneficiarias de este régimen especial, a las que en el pasado se les haya expedido cedulas de identidad y electoral sean dotadas del mismo documento con su numeración anterior, y a los que no hayan tenido este documento, se les otorgará.

**Articulo 5. Homologación.-** El Estado Dominicano reconoce, con eficacia retroactiva a la fecha del nacimiento, todos los actos de la vida civil de su titular, a la vez que reconoce y dispone que sean oponibles a terceros todos los actos realizados por los beneficiarios de la presente ley con los documentos que utilizaron bajo presunción de legalidad.

## **CAPÍTULO II.- DEL REGISTRO HIJOS DE EXTRANJEROS NACIDOS EN LA REPUBLICA DOMINICANA**

**Articulo 6. Registro.-**Toda persona hija de padres extranjeros en situación migratoria irregular que habiendo nacido en el territorio nacional no figure inscrito en el Registro Civil Dominicano, podrá registrarse en el libro para extranjeros contemplado en la Ley General de Migración No. 285-04, siempre que acredite fehacientemente el hecho del nacimiento por los medios establecidos en el reglamento de esta ley.

**Párrafo I.-** Para beneficiarse del registro de extranjeros contemplado en este artículo, deberá formularse ante el Ministerio de Interior y Policía una solicitud de registro en un plazo no mayor de noventa (90) días a partir de la entrada en vigencia del reglamento de aplicación de la presente ley.

**Párrafo II.-** Al formularse la solicitud de registro, el Ministerio de Interior y Policía tendrá un plazo de treinta (30) días, para tramitarla con su no objeción, por ante la Junta Central Electoral.

**Artículo 7. De la regularización.-**A partir de la inscripción en el libro de extranjería, la persona tendrá un plazo de sesenta (60) días para acogerse a lo establecido en el Decreto 327-13 que instituye el Plan Nacional de Regularización de Extranjeros en situación migratoria irregular.

## **CAPÍTULO III.- DE LA NATURALIZACIÓN**

**Artículo 8. Naturalización.-** Los hijos de extranjeros nacidos en la República Dominicana, regularizados de conformidad a lo dispuesto en el Plan Nacional de Regularización de Extranjeros en situación migratoria irregular, podrán optar por la naturalización ordinaria establecida en la ley que rige la materia una vez hayan transcurrido dos (2) años de la obtención de una de las categorías migratorias

establecidas en la Ley General de Migración No. 285-04, siempre que acredite mediante certificación la inexistencia de antecedentes penales.

#### CAPÍTULO IV.- SANCIONES

**Artículo 9. Falsedades.**-La falsedad en que incurra una persona al realizar una solicitud de registro de extranjero, en nombre propio o en su condición de padre, ascendiente, colateral privilegiado o tutor, o en el procedimiento de naturalización especial, será castigada con pena de reclusión de dos (2) a cinco (5) años y multas de diez (10) a veinte (20) salarios mínimos.

**Artículo 10. Persecución penal a Oficiales del Estado Civil.**- La Junta Central Electoral deberá remitir al Ministerio Público, en un plazo no mayor de tres (3) meses, copia certificada de la documentación levantada con motivo de los procesos de inspección del registro civil, en las que se constatan falsedades en escritura pública o cualquier otra infracción penal incurrida por Oficiales del Estado Civil con motivo de la instrumentación de los registros, a los fines del sometimiento por ante los tribunales penales de la República.

#### CAPÍTULO V.- DISPOSICIONES FINALES

**Artículo 11. Vigencia.**-Lo establecido en los Capítulos II y III de esta Ley estará vigente mientras dure la ejecución el Plan Nacional de Regularización de extranjeros en situación migratoria irregular.

**Artículo 12. Reglamentación.**- El Poder Ejecutivo dictará el reglamento de aplicación de lo dispuesto en los Capítulos II y III de esta ley en un plazo no mayor de sesenta (60) días a partir de la fecha de su promulgación, reglamento que entre otras disposiciones contendrá los medios a través de los cuales se acreditará el hecho del nacimiento así como las adecuaciones pertinentes al Plan Nacional de Regularización de extranjeros en situación migratoria irregular para estas personas.

**Artículo 13. Gratuidad.**- Lo dispuesto en la presente Ley no generará tasa o costo alguno a cargo de los beneficiarios.

DADA....

## Overview of the Dominican's Republic's Comprehensive Immigration Policy

- The Dominican Republic is implementing a modern and transparent policy for registering national and immigrant residents that respects each person's contribution to Dominican society while giving clarity to an outdated system.
- The goal of this policy is to guarantee a regular status to every person living on Dominican soil in a way that protects their fundamental rights. The new policy will also enhance the Dominican Republic's ability to combat human trafficking and ensure the integrity of its territory.
- The Government understands the complexity of the challenges in migratory legislation, and appreciates the support of the international community, as well as its ally Haiti, as it develops and implements a comprehensive policy.

### Constitutional Court Ruling

- On September 23rd, 2013, in order to clarify the situation of immigrants and their children who were under an irregular immigration status, the Dominican Republic's Constitutional Court, the highest court in the land on constitutional matters, ruled that "foreigners in transit" – immigrants who cannot prove their legal status in the country – have the opportunity to normalize their immigration status. The Dominican Government will help facilitate the naturalization of immigrants with appropriate legal documentation.
- No one currently holding Dominican nationality will be deprived of it.

### The Government's Approach

- Following the democratic tradition of separation of powers, the Government of the Dominican Republic respects the Court's decision and abides by its ruling. Furthermore, the Dominican government is engaging Haiti and the international community (EU, UN, OAS, CARICOM) in a constructive dialogue about the development of these policies.
- In response to the Court's ruling, the Government has established a clear roadmap with a two-pronged approach to achieve a holistic and inclusive immigration and documentation policy. This approach consists of the Regularization Plan, which has already been approved by Congress and Naturalization Legislation, which President Danilo Medina presented to Congress on 15 May 2014. The legislation was approved the Chamber of Deputies, the lower house of Congress, on 16 May 2014 and the Senate, the upper house of Congress, on 21 May 2016.

### Regularization Plan

- The Regularization Plan will enable the Dominican Republic to normalize the migratory status of approximately 435,000 people, from about 120 different countries, over a period of 18 months.

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- With the objective of guaranteeing fair and transparent processes, each of the submitted cases will be studied individually, according to clear requirements, open processes, and at no cost for the applicant.

### **Naturalization Legislation**

- The legislation addresses two groups: those who were born and grew up in the Dominican Republic with irregular birth certificates due to their parents' lack of immigration status, and those born and living in the Dominican Republic to foreign parents without a valid residence permit who do not have any form of documentation
- Individuals officially registered as Dominicans, notwithstanding their parents' irregular status, will have their documents legalized and will enjoy all the benefits of Dominican citizenship. This action will allow for a fast, fair and final end to any uncertainty surrounding their situation.
- Undocumented individuals who are able to prove that they were born in the Dominican Republic will have the opportunity over a 90-day period to register for a regular immigration status. This group of people will now be able to enter the naturalization process and apply for citizenship after two years of regular residency status.
- A recent public opinion poll indicated that 72% of the Dominican population supports the bill.

### **Strong Commitment to Protecting Human Rights**

- The Dominican Government guarantees basic human rights to all persons within the Dominican Republic, including access to free public services such as healthcare and education, as well as labor rights, regardless of anyone's status in the country. These policies will not change. For example:
  - The Dominican Republic invests 18% of its healthcare budget to service the immigrant population;
  - 13% of births in the country's public hospitals are to immigrant mothers;
  - Approximately 54,000 immigrant children are registered in public schools throughout the country, without any need to provide any sort of documentation regardless of their legal status;
  - Dominican labor laws protect workers of any nationality regardless of their legal status, and Labor Courts will rule without prejudice to irregular status immigrants whose rights have been violated under Dominican Legislation.

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